

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In re

JESSICA L. CUTLER,

Case No. 07-31459-5-MCR

Debtor

ROBERT STEINBUCH,

Plaintiff,

v.

Adv. Pro. No. 07-50064-5-MCR

JESSICA L. CUTLER

Defendant

JOINT MOTION TO LIFT STAY

Debtor, Jessica L. Cutler, who is also the defendant in the adversary proceeding that has been filed against her by Robert Steinbuch, plaintiff, in the within Chapter 7 matter, and Plaintiff Robert Steinbuch state as follows:

1. There is pending in the United States Court of Appeals for the Eighth Circuit an appeal in the case of Robert Steinbuch, appellant, v. Jessica Cutler, appellee, docket No. 07-1509. On July 18, 2007, that court entered an order to stay the proceeding as to Jessica Cutler pursuant to the automatic stay provision of 11 U.S.C. § 362, as a result of the filing of the bankruptcy petition in the instant case.

2. The within adversary proceeding has been settled and movants wish to dismiss the appeal in the Eight Circuit Court of Appeals.

3. There is pending in the United States District Court for the District of Columbia the case of Robert Steinbuch, plaintiff, v. Jessica Cutler, defendant, docket No. 01:05-CV-00970, and that court entered an order to stay the proceeding pursuant to the automatic stay provision of the Bankruptcy Code as a result of the filing of the bankruptcy petition in the instant case. The claims in that case have been settled and movants wish to dismiss the lawsuit in the District Court for the District of Columbia.

WHEREFORE, Plaintiff Robert Steinbuch and Defendant Jessica Cutler jointly move this court to enter an order lifting the automatic stay imposed by 11 U.S.C. § 362, waiving the twenty-day waiting period required by the statute and granting all proper relief.

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